

**THE TWO HUNDRED NINETIETH OMNIBUS OBJECTION TO CLAIMS SEEKS TO DISALLOW AND EXPUNGE CERTAIN FILED PROOFS OF CLAIM. PARTIES RECEIVING THIS NOTICE SHOULD REVIEW THE OBJECTION TO SEE IF THEIR NAME(S) AND/OR CLAIM(S) ARE LOCATED IN THE OBJECTION AND/OR THE EXHIBITS ATTACHED THERETO TO DETERMINE WHETHER THE OBJECTION AFFECTS THEIR CLAIM(S).**

**IF YOU HAVE QUESTIONS, PLEASE CONTACT  
LEHMAN BROTHERS HOLDINGS INC.'S COUNSEL,  
ERIKA DEL NIDO, AT 212-310-8323.**

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Robert J. Lemons

Attorneys for Lehman Brothers Holdings Inc.  
and Certain of its Affiliates

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

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<b>In re</b>	<b>: Chapter 11 Case No.</b>
	<b>:</b>
<b>LEHMAN BROTHERS HOLDINGS INC., et al.,</b>	<b>: 08-13555 (JMP)</b>
	<b>:</b>
<b>Debtors.</b>	<b>: (Jointly Administered)</b>
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**NOTICE OF HEARING ON  
TWO HUNDRED NINETIETH OMNIBUS  
OBJECTION TO CLAIMS (NO LIABILITY CLAIMS)**

**PLEASE TAKE NOTICE** that on April 17, 2012, Lehman Brothers Holdings Inc. (“LBHI” and the “Plan Administrator”), as Plan Administrator under the Modified Third Amended Joint Chapter 11 Plan of Lehman Brothers Holdings Inc. and Its Affiliated Debtors (the “Plan”) for certain entities in the above-referenced chapter 11 cases (the “Chapter 11 Estates”), filed its two hundred ninetieth omnibus objection to claims (the “Two Hundred

Ninetieth Objection to Claims”), and that a hearing (the “Hearing”) to consider the Two Hundred Ninetieth Omnibus Objection to Claims will be held before the Honorable James M. Peck, United States Bankruptcy Judge, in Courtroom 601 of the United States Bankruptcy Court for the Southern District of New York, One Bowling Green, New York, New York 10004, on **May 31, 2012 at 10:00 a.m. (Eastern Time)**, or as soon thereafter as counsel may be heard.

**PLEASE TAKE FURTHER NOTICE** that any responses to the Two Hundred Ninetieth Omnibus Objection to Claims must be in writing, shall conform to the Federal Rules of Bankruptcy Procedure and the Local Rules of the Bankruptcy Court, and shall be filed with the Bankruptcy Court (a) electronically in accordance with General Order M-399 (which can be found at [www.nysb.uscourts.gov](http://www.nysb.uscourts.gov)) by registered users of the Bankruptcy Court’s filing system, and (b) by all other parties in interest, on a 3.5 inch disk, preferably in Portable Document Format (PDF), WordPerfect, or any other Windows-based word processing format (with a hard copy delivered directly to Chambers), in accordance with General Order M-182 (which can be found at [www.nysb.uscourts.gov](http://www.nysb.uscourts.gov)), and served in accordance with General Order M-399, and on (i) the chambers of the Honorable James M. Peck, One Bowling Green, New York, New York 10004, Courtroom 601; (ii) attorneys for LBHI and certain of its affiliates, Weil, Gotshal & Manges LLP, 767 Fifth Avenue, New York, New York 10153 (Attn: Robert J. Lemons, Esq. and Maurice Horwitz, Esq.); and (iii) the Office of the United States Trustee for Region 2, 33 Whitehall Street, 21st Floor, New York, New York 10004 (Attn: Tracy Hope Davis, Esq., Elisabetta Gasparini, Esq., and Andrea B. Schwartz, Esq.); so as to be so filed and received by no later than **May 17, 2012 at 4:00 p.m. (Eastern Time)** (the “Response Deadline”).

**PLEASE TAKE FURTHER NOTICE** that if no responses are timely filed and served with respect to the Two Hundred Ninetieth Omnibus Objection to Claims or any claim set

forth thereon, the Plan Administrator may, on or after the Response Deadline, submit to the Bankruptcy Court an order substantially in the form of the proposed order annexed to the Two Hundred Ninetieth Omnibus Objection to Claims, which order may be entered with no further notice or opportunity to be heard offered to any party.

Dated: April 17, 2012  
New York, New York

/s/ Robert J. Lemons  
Robert J. Lemons

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	<b>:</b>
<b>LEHMAN BROTHERS HOLDINGS INC., et al.,</b>	<b>: 08-13555 (JMP)</b>
	<b>:</b>
<b>Debtors.</b>	<b>: (Jointly Administered)</b>
-----X	

**TWO HUNDRED NINETIETH  
OMNIBUS OBJECTION TO CLAIMS (NO LIABILITY CLAIMS)**

**THE TWO HUNDRED NINETIETH OMNIBUS OBJECTION TO CLAIMS SEEKS TO  
 DISALLOW AND EXPUNGE CERTAIN FILED PROOFS OF CLAIM. PARTIES  
 RECEIVING THIS NOTICE SHOULD REVIEW THE OBJECTION TO SEE IF THEIR  
 NAME(S) AND/OR CLAIM(S) ARE LOCATED IN THE OBJECTION AND/OR THE  
 EXHIBITS ATTACHED THERETO TO DETERMINE WHETHER THE OBJECTION  
 AFFECTS THEIR CLAIM(S).**

**IF YOU HAVE QUESTIONS, PLEASE CONTACT  
 LEHMAN BROTHERS HOLDINGS INC.'S COUNSEL,  
 ERIKA DEL NIDO, AT 212-310-8323.**

TO THE HONORABLE JAMES M. PECK  
UNITED STATES BANKRUPTCY JUDGE:

Lehman Brothers Holdings Inc. (“LBHI” and the “Plan Administrator”), as Plan Administrator under the Modified Third Amended Joint Chapter 11 Plan of Lehman Brothers Holdings Inc. and Its Affiliated Debtors (the “Plan”) for the entities in the above-referenced chapter 11 cases (the “Chapter 11 Estates”), respectfully represents as follows:

**Relief Requested**

1. The Plan Administrator files this omnibus objection to claims (the “Two Hundred Ninetieth Omnibus Objection to Claims”) pursuant to section 502(b) of title 11 of the United States Code (the “Bankruptcy Code”), Rule 3007(d) of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”), and this Court’s order approving procedures for the filing of omnibus objections to proofs of claim [Docket No. 6664] (the “Procedures Order”), seeking to disallow and expunge certain claims for which the Chapter 11 Estates have no liability.

2. The proofs of claim listed on Exhibit A annexed hereto (collectively, the “No Liability Claims”) were filed against the Chapter 11 Estates based upon alleged brokerage accounts or other investments at entities other than the Chapter 11 Estates, such as Lehman Brothers Inc. (“LBI”) and Lehman Brothers International (Europe) (“LBIE”), and for which the Chapter 11 Estates are not liable. The Chapter 11 Estates do not have liability for any of the No Liability Claims.

**Jurisdiction**

3. This Court has jurisdiction to consider this matter pursuant to 28 U.S.C. §§ 157 and 1334. This is a core proceeding pursuant to 28 U.S.C. § 157(b).

**Background**

4. Commencing on September 15, 2008, and periodically thereafter, LBHI

and certain of its subsidiaries commenced with this Court voluntary cases under title 11 of the Bankruptcy Code. These chapter 11 cases have been consolidated for procedural purposes only and are being jointly administered pursuant to Bankruptcy Rule 1015(b).

5. On January 14, 2010, the Court entered the Procedures Order, which authorizes the filing of omnibus objections to no more than 500 claims at a time, on various grounds, including those set forth in Bankruptcy Rule 3007(d) and those additional grounds set forth in the Procedures Order.

6. On December 6, 2011, the Court approved and entered an order confirming the Plan. The Plan became effective on March 6, 2012.

7. Pursuant to the Plan, the Plan Administrator is authorized to impose and prosecute objections to claims filed against the Chapter 11 Estates.

**The No Liability Claims Should Be Disallowed and Expunged**

8. Section 502(b)(1) of the Bankruptcy Code provides, in relevant part, that a claim may not be allowed to the extent that “such claim is unenforceable against the debtor and property of the debtor, under any agreement or applicable law.” 11 U.S.C. § 502(b)(1). A proof of claim is “deemed allowed, unless a party in interest objects.” 11 U.S.C. § 502(a). If an objection refuting at least one of the claim’s essential allegations is asserted, the claimant has the burden to demonstrate the validity of the claim. *See In re Oneida, Ltd.*, 400 B.R. 384, 389 (Bankr. S.D.N.Y. 2009); *In re Adelphia Commc’ns Corp.*, No. 02-41729 (REG), 2007 Bankr. LEXIS 660 at \*15 (Bankr. S.D.N.Y. Feb. 20, 2007); *In re Rockefeller Ctr. Props.*, 272 B.R. 524, 539 (Bankr. S.D.N.Y. 2000).

9. The No Liability Claims are claims based upon brokerage accounts or other investments at entities other than the Chapter 11 Estates and for which the Chapter 11 Estates are not liable. In particular, some of the No Liability Claims are based on brokerage

accounts at LBI or LBIE. LBI and LBIE are separate legal entities and not a part of these chapter 11 cases. The Chapter 11 Estates are not liable for any potential liability that LBI or LBIE may have from brokerage accounts, and an interest in brokerage accounts at LBI and LBIE does not result in a claim against the Chapter 11 Estates.

10. The liabilities asserted in the No Liability Claims are not claims against the Chapter 11 Estates. Unless the No Liability Claims are disallowed and expunged, parties who do not hold valid claims against the Chapter 11 Estates may nonetheless recover from the Chapter 11 Estates. LBHI respectfully requests the Court enter an order disallowing and expunging the No Liability Claims in their entirety.

#### **Reservation of Rights**

11. LBHI reserves all rights to object on any basis to any No Liability Claim as to which the relief requested herein is not granted.

#### **Notice**

12. No trustee has been appointed in these chapter 11 cases. Notice of this Two Hundred Ninetieth Omnibus Objection to Claims has been provided to (i) the U.S. Trustee; (ii) the Securities and Exchange Commission; (iii) the Internal Revenue Service; (iv) the United States Attorney for the Southern District of New York; (v) each claimant listed on Exhibit A; and (vi) all other parties entitled to notice in accordance with the procedures set forth in the second amended order entered on June 17, 2010, governing case management and administrative procedures for these cases [Docket No. 9635]. The Plan Administrator submits that no other or further notice need be provided.

13. No previous request for the relief sought herein has been made by the Plan Administrator or the Debtors to this or any other Court.

WHEREFORE the Plan Administrator respectfully requests entry of an order  
granting the relief requested herein and such other and further relief as is just.

Dated: April 17, 2012  
New York, New York

/s/ Robert J. Lemons

Robert J. Lemons

WEIL, GOTSHAL & MANGES LLP

767 Fifth Avenue

New York, New York 10153

Telephone: (212) 310-8000

Facsimile: (212) 310-8007

Attorneys for Lehman Brothers Holdings Inc.  
and Certain of Its Affiliates



**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

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<b>In re</b>	: <b>Chapter 11 Case No.</b>
	:
<b>LEHMAN BROTHERS HOLDINGS INC., et al.,</b>	: <b>08-13555 (JMP)</b>
	:
<b>Debtors.</b>	: <b>(Jointly Administered)</b>
-----X	

**ORDER GRANTING THE  
TWO HUNDRED NINETIETH OMNIBUS  
OBJECTION TO CLAIMS (NO LIABILITY CLAIMS)**

Upon the two hundred ninetieth omnibus objection to claims, dated April 17, 2012 (the “Two Hundred Ninetieth Omnibus Objection to Claims”),<sup>1</sup> of Lehman Brothers Holdings Inc. (“LBHI” and the “Plan Administrator”), as Plan Administrator under the Modified Third Amended Joint Chapter 11 Plan of Lehman Brothers Holdings Inc. and Its Affiliated Debtors (the “Plan”), pursuant to section 502 of title 11 of the United States Code (the “Bankruptcy Code”), Rule 3007 of the Federal Rules of Bankruptcy Procedure, and this Court’s order approving procedures for the filing of omnibus objections to proofs of claim [Docket No. 6664], seeking disallowance and expungement of the No Liability Claims on the basis that the Chapter 11 Estates have no liability for such claims, all as more fully described in the Two Hundred Ninetieth Omnibus Objection to Claims; and due and proper notice of the Two Hundred Ninetieth Omnibus Objection to Claims having been provided, and it appearing that no other or further notice need be provided; and the Court having found and determined that the relief requested in the Two Hundred Ninetieth Omnibus Objection to Claims is in the best interests of the Chapter 11 Estates, their creditors, and all parties in interest and that the legal and factual bases set forth in the Two Hundred Ninetieth Omnibus Objection to Claims establish just cause

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<sup>1</sup> Terms not defined herein shall have the same meaning ascribed to them in the Two Hundred Ninetieth Omnibus Objection to Claims.

for the relief granted herein; and after due deliberation and sufficient cause appearing therefor, it is

ORDERED that the relief requested in the Two Hundred Ninetieth Omnibus Objection to Claims is granted to the extent provided herein; and it is further

ORDERED that pursuant to section 502(b) of the Bankruptcy Code, the claims listed on Exhibit 1 are disallowed and expunged in their entirety with prejudice; and it is further

ORDERED that this Order has no res judicata, estoppel, or other effect on the validity, allowance, or disallowance of, and all rights to object and defend on any basis are expressly reserved with respect to any claim listed on Exhibit A annexed to the Two Hundred Ninetieth Omnibus Objection to Claims that is not listed on Exhibit 1 annexed hereto; and it is further

ORDERED that this Court shall retain jurisdiction to hear and determine all matters arising from or related to this Order.

Dated: \_\_\_\_\_, 2012  
New York, New York

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UNITED STATES BANKRUPTCY JUDGE

**EXHIBIT A**

## IN RE: LEHMAN BROTHERS HOLDINGS INC., ET AL., CASE NO: 08-13555 (JMP)

## OMNIBUS OBJECTION 290: EXHIBIT A - NO LIABILITY CLAIMS

	NAME	CASE NUMBER	DEBTOR NAME	FILED DATE	CLAIM #	TOTAL CLAIM DOLLARS
1	BADAWI, AMR SEDKI C/O OMAR EL SAWY 834 SECOND ST MANHATTAN BEACH, CA 90266	08-13555 (JMP)	Lehman Brothers Holdings Inc.	09/10/2009	11332	\$72,351.83
2	BANCO BOLIVARIANO CA ATTN: JOSE MEDINA S JUNIN 200 Y PANAMA GUAYAQUIL ECUADOR	08-13555 (JMP)	Lehman Brothers Holdings Inc.	08/26/2009	9421	\$5,698.07
3	BANICKI, EUGENE FRANK AND REBECCA LYNN 1045 E. CHEVY CHASE DRIVE SALT LAKE CITY, UT 84117	08-13555 (JMP)	Lehman Brothers Holdings Inc.	09/22/2009	31180	\$20,140.93
4	ILUSO CAPITAL CORP C/O GABRIEL G MATARASSO MARVAL, O'FARRELL & MAIRAL AV LEANDRO N ALEM 928 FLOOR 7 (C1001AAR) BUENOS AIRES, ARGENTINA	08-13555 (JMP)	Lehman Brothers Holdings Inc.	09/18/2009	16003	\$1,120,000.00*
5	ILUSO CAPITAL CORP C/O GABRIEL G MATARASSO MARVAL, O'FARRELL & MAIRAL AV LEANDRO N ALEM 928 FLOOR 7 (C1001AAR) BUENOS AIRES, ARGENTINA	08-13901 (JMP)	Lehman Brothers Commercial Corporation	09/18/2009	16004	\$1,120,000.00*
6	JAMES, WAYDE 49 PINE BROOK CURVE NORTHAMPTON, MA 01060	08-13555 (JMP)	Lehman Brothers Holdings Inc.	09/18/2009	19217	\$31,606.30
7	KENTUCKY RETIREMENT SYSTEMS C/O ROBERTO RAMIREZ ICE MILLER LLP ONE AMERICAN SQUARE, SUITE 2900 INDIANAPOLIS, IN 46282-0200	08-13555 (JMP)	Lehman Brothers Holdings Inc.	06/01/2009	4710	\$48,200,000.00*

\* - Indicates claim contains unliquidated and/or undetermined amounts

## IN RE: LEHMAN BROTHERS HOLDINGS INC., ET AL., CASE NO: 08-13555 (JMP)

## OMNIBUS OBJECTION 290: EXHIBIT A - NO LIABILITY CLAIMS

	NAME	CASE NUMBER	DEBTOR NAME	FILED DATE	CLAIM #	TOTAL CLAIM DOLLARS
8	KENTUCKY RETIREMENT SYSTEMS C/O ROBERTO RAMIREZ ICE MILLER LLP ONE AMERICAN SQUARE, SUITE 2900 INDIANAPOLIS, IN 46282-0200	08-13600 (JMP)	LB 745 LLC	06/01/2009	4711	\$48,200,000.00*
9	KENTUCKY RETIREMENT SYSTEMS C/O ROBERTO RAMIREZ ICE MILLER LLP ONE AMERICAN SQUARE, SUITE 2900 INDIANAPOLIS, IN 46282-0200	08-13664 (JMP)	PAMI Statler Arms LLC	06/01/2009	4712	\$48,200,000.00*
10	KENTUCKY RETIREMENT SYSTEMS C/O ROBERTO RAMIREZ ICE MILLER LLP ONE AMERICAN SQUARE, SUITE 2900 INDIANAPOLIS, IN 46282-0200	08-13885 (JMP)	Lehman Brothers Commodity Services Inc.	06/01/2009	4713	\$48,200,000.00*
11	KENTUCKY RETIREMENT SYSTEMS C/O ROBERTO RAMIREZ ICE MILLER LLP ONE AMERICAN SQUARE, SUITE 2900 INDIANAPOLIS, IN 46282-0200	08-13888 (JMP)	Lehman Brothers Special Financing Inc.	06/01/2009	4715	\$48,200,000.00*
12	KENTUCKY RETIREMENT SYSTEMS C/O ROBERTO RAMIREZ ICE MILLER LLP ONE AMERICAN SQUARE, SUITE 2900 INDIANAPOLIS, IN 46282-0200	08-13893 (JMP)	Lehman Brothers OTC Derivatives Inc.	06/01/2009	4716	\$48,200,000.00*
13	KENTUCKY RETIREMENT SYSTEMS C/O ROBERTO RAMIREZ ICE MILLER LLP ONE AMERICAN SQUARE, SUITE 2900 INDIANAPOLIS, IN 46282-0200	08-13899 (JMP)	Lehman Brothers Derivative Products Inc.	06/01/2009	4717	\$48,200,000.00*

## IN RE: LEHMAN BROTHERS HOLDINGS INC., ET AL., CASE NO: 08-13555 (JMP)

## OMNIBUS OBJECTION 290: EXHIBIT A - NO LIABILITY CLAIMS

	NAME	CASE NUMBER	DEBTOR NAME	FILED DATE	CLAIM #	TOTAL CLAIM DOLLARS
14	KENTUCKY RETIREMENT SYSTEMS C/O ROBERTO RAMIREZ ICE MILLER LLP ONE AMERICAN SQUARE, SUITE 2900 INDIANAPOLIS, IN 46282-0200	08-13900 (JMP)	Lehman Commercial Paper Inc.	06/01/2009	4718	\$48,200,000.00*
15	KENTUCKY RETIREMENT SYSTEMS C/O ROBERTO RAMIREZ ICE MILLER LLP ONE AMERICAN SQUARE, SUITE 2900 INDIANAPOLIS, IN 46282-0200	08-13901 (JMP)	Lehman Brothers Commercial Corporation	06/01/2009	4719	\$48,200,000.00*
16	KENTUCKY RETIREMENT SYSTEMS C/O ROBERTO RAMIREZ ICE MILLER LLP ONE AMERICAN SQUARE, SUITE 2900 INDIANAPOLIS, IN 46282-0200	08-13902 (JMP)	Lehman Brothers Financial Products Inc.	06/01/2009	4720	\$48,200,000.00*
17	KENTUCKY RETIREMENT SYSTEMS C/O ROBERTO RAMIREZ ICE MILLER LLP ONE AMERICAN SQUARE, SUITE 2900 INDIANAPOLIS, IN 46282-0200	08-13904 (JMP)	Lehman Scottish Finance L.P.	06/01/2009	4722	\$48,200,000.00*
18	KENTUCKY RETIREMENT SYSTEMS C/O ROBERTO RAMIREZ ICE MILLER LLP ONE AMERICAN SQUARE, SUITE 2900 INDIANAPOLIS, IN 46282-0200	08-13905 (JMP)	CES Aviation LLC	06/01/2009	4723	\$48,200,000.00*
19	KENTUCKY RETIREMENT SYSTEMS C/O ROBERTO RAMIREZ ICE MILLER LLP ONE AMERICAN SQUARE, SUITE 2900 INDIANAPOLIS, IN 46282-0200	08-13906 (JMP)	CES Aviation V LLC	06/01/2009	4724	\$48,200,000.00*

## IN RE: LEHMAN BROTHERS HOLDINGS INC., ET AL., CASE NO: 08-13555 (JMP)

## OMNIBUS OBJECTION 290: EXHIBIT A - NO LIABILITY CLAIMS

	NAME	CASE NUMBER	DEBTOR NAME	FILED DATE	CLAIM #	TOTAL CLAIM DOLLARS
20	KENTUCKY RETIREMENT SYSTEMS C/O ROBERTO RAMIREZ ICE MILLER LLP ONE AMERICAN SQUARE, SUITE 2900 INDIANAPOLIS, IN 46282-0200	08-13907 (JMP)	CES Aviation IX LLC	06/01/2009	4725	\$48,200,000.00*
21	KENTUCKY RETIREMENT SYSTEMS C/O ROBERTO RAMIREZ ICE MILLER LLP ONE AMERICAN SQUARE, SUITE 2900 INDIANAPOLIS, IN 46282-0200	08-13908 (JMP)	East Dover Limited	06/01/2009	4726	\$48,200,000.00*
22	LONGACRE OPPORTUNITY FUND, L.P. TRANSFEROR: VANTAGE CAPITAL MARKETS LLP ATTN: VLADIMIR JELISAVCIC 810 SEVENTH AVENUE, 33RD FLOOR NEW YORK, NY 10019	08-13555 (JMP)	Lehman Brothers Holdings Inc.	09/10/2009	11348	\$597,860.00
23	NICHOLSON, BARBARA M. ACF HAMZA PO BOX 538 TULLAHOMA, TN 37388-0538	08-13555 (JMP)	Lehman Brothers Holdings Inc.	02/02/2009	2438	\$25,487.74*
24	NICHOLSON, BARBARA M. ACF SOUKAINA PO BOX 538 TULLAHOMA, TN 37388-0538	08-13555 (JMP)	Lehman Brothers Holdings Inc.	02/02/2009	2437	\$25,907.57*
25	NICOLL, JOBETH NICOLL, WILLIAM 3650 SENTRY VIEW TRACE SUWANEE, GA 30024	08-13555 (JMP)	Lehman Brothers Holdings Inc.	09/17/2009	15162	\$1,180.84
					TOTAL	\$726,020,233.28